

Purpose and Need for Action

The mission of the Forest Service, and specifically the Carson National Forest, in relation to minerals management is two-fold: (1) Support, facilitate, and administer the orderly exploration, development, and production of minerals and energy resources on National Forest System Lands to help meet the present and future needs of the Nation; while, (2) Simultaneously protecting the environment and conserving the natural resource legacy (National Energy Policy, 3-1)

On the Jicarilla Ranger District this mission is accomplished in a variety of means depending upon the status of existing mineral rights and associated leases. The Reasonable Foreseeable Development Scenario for the San Juan Basin (Engler et al. 2001) projects the Forest could receive requests to drill almost 700 new wells on the Jicarilla Ranger District over the next 20 years. The most recent estimates provided by industry indicate a possibility of up to 800 new wells. This would result in an increase in well density and the potential to nearly double the number of well pads.

The Forest has identified areas of concern where additional guidance is needed to protect surface resources during the development and production of fluid minerals.

- There is a need to amend the forest plan to provide additional standard and guidelines for the protection of surface resources in regards to leasing and the orderly development of future oil and gas production.
- The Forest has also identified five specific geographic areas within the Jicarilla Ranger District that exhibit unique environmental characteristics and would need area-specific standards and guidelines to protect the mixture of resource values associated with each area.
- There is a need to complete a leasing analysis that would identify stipulations and Conditions of Approval that would be applied to all new leases, including those that are pending, currently unleased, and any existing leases that become available in the future for leasing.
- There is a need to make a lease decision on 2,502 acres for which the Carson National Forest has received an expression of interest.
- There is a need to complete a cumulative effects analysis that encompasses the existing and future development of oil & gas resources on the Jicarilla Ranger District.

Desired Condition

Since most of the Jicarilla Ranger District is currently leased, the desired condition for the Jicarilla Ranger District recognizes the leaseholders' existing rights to drill for, extract, remove and market gas products. With consideration of lease holder rights, the desired condition for the Jicarilla Ranger District is to (1) provide the access needed to reach gas resources and meet energy needs of the Nation, while (2) productivity of the land for other uses is sustained, (3) biodiversity is supported, (4) cultural resources are protected and preserved, (5) long-term health of the ecosystem is maintained and, (6) minimizing negative impacts to the quality of experience for Forest users, due to oil and gas development. Specifically, the Forest wants to reduce the impact from the development of oil and gas operations, as much as possible, on surface resources.

Background

Forest Plan Direction

In addition to the laws, regulations, and policies that must be followed, management direction for gas development on the Jicarilla Ranger District is found within general resource prescriptions in the Carson Forest Plan. The Forest Plan includes broad, general standards and guidelines for “the protection of surface resources in the following categories: slopes over 40 percent, riparian areas, critical wildlife habitats, and developed and proposed recreation sites” (USFS 1986). While the Forest Plan, as amended, does a good job balancing the majority of the various resource uses and desired conditions on the Jicarilla Ranger District, it does not recognize the unique management associated with oil and gas development. There are seven issues or concerns where additional and specific standards and guidelines are needed to protect surface resources during the development and production of fluid minerals.

1. Watershed/Soils

The majority (approximately 90 percent) of the soils on the Jicarilla Ranger District are highly susceptible to water erosion. A watershed assessment completed for the Jicarilla Ranger District (USFS 2003a) indicates sedimentation from roads, and surface disturbance due to gas development have been identified as the main causes of watershed deterioration.

The cumulative effects of increased roads, disturbed ground from existing well pads, new well pads, and pipelines, along with historic grazing and grazing by current wild horse population could increase erosion and sediment yields into the San Juan River drainage. There is a need to provide additional guidance in the Forest Plan to reduce impacts to water quality and soil erosion associated with oil and gas development on the district.

2. Big Game Winter Range

Most of the Jicarilla Ranger District supports deer and elk winter range. An increase in the number of roads could potentially have a negative effect on winter range habitat by increasing fragmentation and reducing the effectiveness of habitat important for elk, deer, and other species' winter survival. There is a need to amend the Forest Plan to permit exceptions for existing open road densities within big game winter range on the Jicarilla Ranger District while restricting future development of open roads within these areas.

3. Cultural Resources

The Jicarilla Ranger District has one of the highest archaeological site densities on the Carson National Forest. Most of these sites are relatively undisturbed. Continued gas development has the potential to damage cultural resource sites through the direct impacts of future ground-disturbing activities, the effects of altering the sites' surroundings, and the indirect impacts of erosion. There is a need to reduce overall surface impact associated with oil and gas development in order to reduce the potential of damaging or losing significant archeological sites.

4. Noise

In order to effectively drain the gas resource, the RFDS estimates that the number of wellhead compressors could also increase over the next 20 years, up to one compressor for every two wells. Future development would create a substantial surge in oil and gas development associated noise. The Forest Plan does not currently address noise created by oil and gas development or the current BLM Noise policy. There is a need to incorporate reasonable and appropriate guidance for noise levels throughout the district.

5. Air Quality

The San Juan Basin, of which the Jicarilla Ranger District is a part, contains many significant and potentially significant sources of air pollutant emissions. Although there are no non-attainment areas within the San Juan Basin, cumulative impacts from all sources contribute to regional air quality problems. Because of the potential for these air quality impacts from oil and gas production activities, there is a need for guidance in the Forest Plan to minimize emissions to protect regional air quality.

6. Areas of Resource Concern

The Carson National Forest has identified five geographical areas within the Jicarilla Ranger District that currently exhibit special characteristics for the area. The management of these areas may emphasize certain surface resource values over others. The areas are: Bancos, La Jara, Valencia, Vaqueros canyons, and Fierro Canyon and Mesa. The sheer densities of archeological sites, as well as proximity of sites from different periods of habitation, in Bancos Canyon make it an important regional cultural resource. La Jara and Valencia canyons are important for their cultural resources as well. United States (U.S.) Highway 64 (US 64) runs along Vaqueros Canyon. The corridor has been designated as having a high quality of visual appeal and has been identified as an area where the existing scenic quality should be retained. Fierro Canyon & Mesa provide a large area of low road density on the southern portion of the district.

Overall, there is a need to identify specific direction, in the form of standards and guidelines in the Carson Forest Plan, to maintain or improve the habitat character of the above areas containing less disturbed wildlife habitat, largely undeveloped characteristics, unique densities of cultural resources, and to preserve designated high visual quality of the Bancos, La Jara, Valencia, and Fierro Canyons, along with Fierro Mesa.

7. Administration of Oil and Gas Leases – Existing and New

Various private entities hold valid federal leases for oil and natural gas on the Jicarilla Ranger District of the Carson National Forest. Currently there are 126 exiting leases on approximately ninety-eight percent (150,554 acres) of the district that are leased for fluid minerals. Most of the existing leases were issued prior to the passage of the National Environmental Policy Act (1970), the release of the Carson Forest Plan (1986) and the 1987 Leasing Reform Act. Many leases, if not most, were issued without special stipulations to guide development in an environmentally sensitive manner.

For existing leases new site-specific mitigation measures may be negotiated with the applicant to protect site-specific resources identified. Mitigation measures may also be required or negotiated at the Application for Permit to Drill (APD) stage as a result of on-the-ground examination and site-specific NEPA analysis. Any post-lease mitigation measures that are applied may not change the intent or terms of the lease or impose undue constraint upon the leaseholder. There is a need for identifying stipulations and conditions that would be applied to all new leases, including those that are pending, currently unleased, and any existing leases that become available in the future for leasing

Presently there are approximately 2,500 acres on the Jicarilla Ranger District not leased for mineral development and extraction. There is a pending request from the BLM to offer for lease a portion of these lands. Additionally, as other lands become available in the future through termination, expiration or relinquishment of an existing lease they may be made available for mineral development under new leases. There is a need to identifying stipulations and Conditions of Approval that would be applied to new leases, including those that are pending, currently unleased, and any existing leases that become available in the future for leasing.